IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

WP(C).No. 33444 of 2006(F)

PETITIONER:

A.AYYAPPAN, AGED 60 YEARS,
S/O.LATE SRI,PARANGODAN, SATYA SADANAM,
PUTHARICKAL, PARAPPANANGADI, MALAPPURAM DISTRICT,
(EX-DRAFTSMAN GRADE-II, KERALA WATER AUTHORITY,
KOZHIKODE).

BY ADV. SRI.M.R.GOPALAKRISHNAN NAIR
SRI.B.SOMADASAN

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT,
WATER RESOURCES DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE KERALA WATER AUTHORITY,
REPRESENTED BY THE MANAGING DIRECTOR,
JALA BHAVAN, THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN
BY ADV.SRI.C.UNNIKRISHNAN R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.33444 of 2006

Dated this the 22nd day of January, 2007

JUDGMENT

Ext.P15 representation filed by the petitioner is pending with the Managing Director of the second respondent. The petitioner is a retired Draftsman. He feels aggrieved by the non-payment of full service benefits consequent on the grant of higher grade. He retired from service as early as on 30.6.2001. He was granted higher grade benefits sometime in 1999. It appears that he is not satisfied with the fixation of pay and consequent higher emoluments granted to him.

2. Counsel for the respondent Water Authority submits that the petitioner can put forward a legitimate claim only if the government order on which he places reliance on, is made applicable to the Water Authority. It is also contended, on behalf of the respondents, that records will have to be perused to come to a decision whether the petitioner is eligible for the benefit as per Ext.P15.

3. In the circumstances, I am inclined to dispose of the writ petition directing the second respondent to consider Ext.P15 with reference to available records and pass orders, in accordance with law, within two months from the date of receipt of a copy of the

judgment. The order thus passed shall be communicated to the petitioner immediately. The petitioner shall produce a copy of this judgment before the second respondent for information and compliance.

K.K.DENESAN, JUDGE

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